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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/763,228

01/26/2004

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1506.1039

6546

21171 7590 01/06/2009
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EXAMINER

PULLIAM, CHRISTYANN R

ART UNIT

PAPER NUMBER

2165

MAIL DATE

DELIVERY MODE

01/06/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/763,228	Applicant(s) IIDA, KAZUE	
	Examiner Christyann RF Pulliam	Art Unit 2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-6,8 and 10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-6,8 and 10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/17/2008</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Claims 1, 4-6, 8 and 10 are pending as amended October 17, 2008. Claims 1, 4-5, 8 and 10 are currently amended. Claim 6 is previously presented. Claims 2, 3, 7, 9 and 11 are cancelled.
2. The Information Disclosure Statement filed December 17, 2008 has been considered.
3. New grounds of rejection are provided as necessitated by the amendments to the claims. Therefore, this action is FINAL.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3-6, 8, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al., U.S. Patent No. 6,807,539 (hereinafter Miller), in view of Teng et al., U.S. Patent No. 6,631,367 (hereinafter Teng) and Shinobu UNAGAMI,

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"COMMUNICATION SERVER WHICH IS AVAILABLE NOT ONLY TO INTERNET BUT ALSO TO PERSONAL COMPUTER COMMUNICATION: MYTALK ACS 3 STANDARD PORT EDITION, Windows NT POWERS, JAPAN, Kabushiki Kaisha BNN, March 8, 1998, Volume 2, No. 3, pp. 90-93 (as cited on Applicant's IDS of December 17, 2008) (hereinafter Unagami).

As for Claims 1, 5 and 8, Miller teaches:

recording, into a storage, a script definition in which a conversion function and an authentication function are defined for each of said information retrieval sites that requires authentication as a condition to respond search results, said conversion function converting a description of the search condition in compliance with a predetermined description rule into a description in compliance with a description rule of each of said information retrieval sites, and said authentication function being used for an authentication procedure of each of said information retrieval sites that requires authentication as a condition to respond search results (See e.g. Miller – col. 5, line 62- col. 6, line 22 and col. 7, lines 21-31 and Figure 5);

...

recording a predetermined number of pieces of authentication information into said storage for each of said information retrieval sites that require authentication..., said predetermined number of pieces of authentication information being assigned to said server by an information retrieval site... (See e.g. Miller - col. 8, line 65- col. 9, 27, col. 4, lines 9-14 and col.1, lines 24-25);

generating a cross-site search process when designation of one of said information retrieval sites with the search condition is accepted from said user terminal (See e.g. Miller – col. 6, lines 53-61 and Figure 5);

said cross-site search process executing:

reading, from said storage, said script definition corresponding to an information retrieval site chosen as a target information retrieval site from among said information retrieval sites designated by said user terminal (See e.g. Miller – col. 5, line 62- col. 6, line 48 and col. 7, lines 21-31 and Figure 5);

identifying, from among the predetermined number of pieces of authentication information assigned to the server by the target information retrieval site, a piece of authentication information unused by other cross-site search processes when said script definition read in said reading step defines the authentication function (See e.g. Miller - col. 8, line 65- col. 9, 27, col. 4, lines 9-14 and col.1, lines 24-25, col. 5, line 62- col. 6, line 22 and col. 7, lines 21-31 and Figure 5);

transmitting, to said target information retrieval site, said unused piece of authentication information identified in said identifying of the unused piece of authentication information (See e.g. Miller – col.8, line 30- col. 9, line 8 and col. 7, lines 21-38);

receiving the authentication from said target information retrieval site to which said piece of authentication information is transmitted (See e.g. Miller – col. 5, line 62- col. 6, line 48 and col. 7, lines 21-31 and Figure 6);

converting said search condition designated by said user terminal into a search condition in compliance with a description rule of said target information retrieval site according to said conversion function defined in said script definition (See e.g. Miller – col. 5, line 62- col. 6, line 22 and Figure 5);

transmitting, to said target information retrieval site, a search request with said search condition converted in said converting (See e.g. Miller – col. 8, line 30- col. 9, line 8 and col. 7, lines 21-38);

receiving the search results from said target information retrieval site to which said search request with said search condition is transmitted (See e.g. Miller – col. 6, lines 22-32, col. 7, lines 37-44, and Figure 5); and

transmitting, to said user terminal, said received search results received from said information retrieval site (See e.g. Miller – col. 6, lines 42-48 and Figure 5).

Miller teaches storing authentication information and using it automatically to log into information retrieval sites. Miller does not expressly teach that the sites restrict the number of accesses. However, Unagami teaches unused authentication information and said predetermined number of pieces of authentication information being assigned to said server by an information retrieval site to restrict number of access from said server to the information retrieval site (See e.g. Unagami - Page 91, right column, lines 3-18 – especially – “It should be noted that the user ID and password are managed in the centralized form at the ACS3-SP side, so that a plurality of clients can jointly own the account. Moreover, there is provided a function for automatically detecting a free

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account, thereby it is useful for preventing a double log-in and for saving costs for acquiring and maintaining the account.”).

Miller teaches performing any authorization needed, but does not make clear in detail its process when there is no authorization required. However Teng teaches recording, into said storage, a script definition in which a conversion function is defined for each of said information retrieval sites in which an authentication is unnecessary (See e.g. Teng – search manager – col. 2, lines 7-65 protocols – col. 3, lines 2-8).

Miller and Unagami are from the analogous art of providing networked access to a variety of databases. It would have been obvious to one of ordinary skill in the art at the time the invention was made having the teachings of Miller and Unagami to have combined Miller and Unagami. The motivation to combine Miller and Unagami is to permit users to share a limited number of accounts to an information retrieval site. Since companies often pay for access to sites, they want to limit their costs. To do this they can have a group of people share a group of log ins and passwords so that they do not have to purchase access for each individual. It would have been obvious to one skilled in the art to combine Miller and Unagami.

Miller and Teng are from the analogous art of providing search access to a variety of databases. It would have been obvious to one of ordinary skill in the art at the time the invention was made having the teachings of Miller and Teng to have combined Miller and Teng. The motivation to combine Miller and Teng is to provide access to heterogeneous databases. Both Miller and Teng provide access to multiple databases. Miller focuses on ones with authentication requirements. Teng focuses on ones without

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logons. Putting them together helps to accomplish the goal that both were working towards. They provide access to multiple database through a common user interfaces and to be able to enter a search once but access multiple databases. It would have been obvious to one of ordinary skill to have combined Miller and Teng.

As for Claim 4, Miller as modified teaches the parent Claim 1. Miller also teaches wherein communication between said server and said user terminal, and communication between said server and said information retrieval site use TCP/IP and HTTP, respectively (See e.g. Miller – Figure 1 – Internet uses TCP/IP and col. 5, lines 45-55 – HTTP).

As for Claim 6, Miller as modified teaches the parent Claim 5. Miller also teaches wherein said cross-site search program is a Common Gateway Interface program (See e.g. Miller – Figures 3-4 and col. 8, lines 30-65, col. 2, lines 16-65 and col. 4, line 31-col. 59). Teng also teaches CGI (See e.g. Teng – col. 6, lines 56-67 and Claim 5).

As for Claim 10, Miller as modified teaches parent Claim 1. Unagami also teaches wherein said cross-site search process further executing:

Waiting, when all of said predetermined number of pieces of authentication information assigned by said target information retrieval site are in use by other cross-site search processes, until one of said other cross-site search processes with an in use piece of authentication information stops using the in use piece of authentication

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information (See e.g. Unagami - Page 91, right column, lines 3-18 – especially – “It should be noted that the user ID and password are managed in the centralized form at the ACS3-SP side, so that a plurality of clients can jointly own the account. Moreover, there is provided a function for automatically detecting a free account, thereby it is useful for preventing a double log-in and for saving costs for acquiring and maintaining the account.”).

Response to Arguments

6. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christyann RF Pulliam whose telephone number is (571)270-1007. The examiner can normally be reached on M-F 9 am-6 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christian Chace can be reached on 571-272-4190. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. R. P./
Examiner, Art Unit 2165
January 2, 2009

/Neveen Abel-Jalil/

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Primary Examiner, Art Unit 2165